

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
February 11, 2014

4:45 P.M. STUDY SESSION – PUBLIC SAFETY TRAINING ROOM

CONDUCTING

Mayor Richard F. Brunst, Jr.

ELECTED OFFICIALS

Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF

Jamie Davidson, City Manager; Richard Manning, Administrative Services Director, Greg Stephens, City Attorney; Steve Earl, Deputy City Attorney; Karl Hirst, Recreation Director; Chris Tschirki, Public Works Director; Bill Bell, Development Services Director; Scott Gurney, Interim Public Safety Director; Charlene Crozier, Interim Library Director; Jason Bench, Planning Division Manager; and Taraleigh Gray, Deputy City Recorder

Discussion – Retreat Follow-up

Mr. Davidson reviewed the goals set by the City Council at the retreat in January, which were:

- Harmony within the Council
- Communication
- Compensation/Employee Development
- Financial Sustainability Plan
- State Street Plan
- City Facilities
- Utopia

Mr. Davison allowed time for Mr. Manning to share a presentation on the City's indebtedness. Mr. Manning provided a handout showing how the city has utilized debt to address capital needs. With the exception of Special Improvement Districts (SID), the City debt goes toward infrastructure needs of the city.

Mr. Manning identified the total amount the city is responsible for which sixty-seven million, with twenty-five million of that total being voter-approved debt. He explained that revenue debt is structured differently with different reserve and coverage requirements. Revenue bonds are all tied to

specific infrastructure, which is tied specifically to fees. Those fees are decided upon by the Council through the public hearing process.

Mr. Manning addressed SID debts by informing the City Council that SID bonds are paid by third parties. The City serves as the co-signer on these debts. These debts are under the City's name but are not regarded the same way.

In terms of the City debt as a whole, Mr. Manning said that Orem stands favorably in terms of debt ratios.

Discussion – Personal Appearances

Through Council and staff discussion, it was decided that personal appearances opportunities within the City Council meetings will increase in the speaking time limit from two minutes to three minutes. To accommodate individuals who have scheduled items, it was decided that the first personal appearance item on the agenda would be limited to a fifteen minute portion of the meeting, with a continuation of personal appearances to occur towards the end of the scheduled meeting.

Discussion – CARE Allocation

Mr. Davidson introduced the discussion of CARE allocation by providing information on CARE allocation in years past. Under the old CARE, seventy percent of care money went to the arts, and thirty percent was allocated to recreation. The resolution passed in 2013 for the new CARE money reflects a fifty-fifty split. Mr. Davidson indicated that one year of CARE is split between the old and new, with nine months of the year falling under the old CARE and three months falling under the new CARE.

The suggestion brought to the City Council was to create a CARE Advisory committee for each organization. This board would create a separate group, with three members appointed by the City Council and two from the arts council. The formation of this committee was to act as a checks and balance system for where the CARE money would go. The idea was to have people on the advisory committees that have no benefit to the award of grants with CARE funds.

Mayor Brunst shared that he was aware that CARE money is the citizen's money, and that this concept of an advisory committee would bring new eyes, new thoughts, and new suggestions to the process.

Councilmembers Black and Sumner shared concern for this concept, and due to a lack of time to explore the issue more fully, Mayor Brunst postponed the discussion on CARE allocation to a later date.

REVIEW OF UPCOMING AGENDA ITEMS

The Council and staff reviewed the upcoming agenda items.

REVIEW AGENDA ITEMS

The Council and staff reviewed the agenda items.

CITY COUNCIL NEW BUSINESS

The Council adjourned at 5:55 p.m. to the City Council Chambers for the regular meeting.

6:00 P.M. REGULAR SESSION

CONDUCTING

Mayor Richard F. Brunst, Jr.

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Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner

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Jamie Davidson, City Manager; Richard Manning, Administrative Services Director, Greg Stephens, City Attorney; Steve Earl, Deputy City Attorney; Karl Hirst, Recreation Director; Chris Tschirki, Public Works Director; Bill Bell, Development Services Director; Scott Gurney, Interim Public Safety Director; Charlene Crozier, Interim Library Director; Jason Bench, Planning Division Manager; Donna Weaver, City Recorder; and Taraleigh Gray, Deputy City Recorder

INVOCATION /

INSPIRATIONAL THOUGHT

Cheryl Nielson

PLEDGE OF ALLEGIANCE

Zach Wright

APPROVAL OF MINUTES

The minutes from the City Council Retreat held on January 22-23, 2014; the January 28, 2014, City Council meeting; and the Special City Council meeting held on January 30, 2014, were not yet available for approval.

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

Upcoming Events

The Mayor referred the Council to the upcoming events listed in the agenda packet.

Appointments to Boards and Commissions

Mrs. Black **moved** to appoint Carolyn Manwaring to the Beautification Advisory Commission.

Mr. Seastrand **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Richard Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed** unanimously.

Mr. Seastrand **moved** to appoint Ryan White to the Summerfest Advisory Committee. Mr. MacDonald **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Richard Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed** unanimously.

Recognition of New Neighborhoods in Action Officers

No new Neighborhood in Action officers were recognized.

Proclamation – Non-Traditional Student Awareness

Mayor Brunst read a proclamation for Non-Traditional Student Awareness Week. Mr. Sumner **moved** to proclaim the week of February 24, 2014 through March 1, 2014 as Non-Traditional Student Awareness Week. Mrs. Black **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed** unanimously.

CITY MANAGER APPOINTMENTS

There were no City Manager Appointments.

PERSONAL APPEARANCES

Time was allotted for the public to express their ideas, concerns, and comments on items not on the agenda. Those wishing to speak should have signed in prior to the meeting, and comments were limited to two minutes or less.

Curtis Wood expressed appreciation for the swearing-in ceremony event, saying it brought Orem back together in a good positive step. He said he had attended the City Council retreat and wanted to say thank the Council for taking time to introduce themselves at that meeting. Mr. Wood said the retreat was incredibly informative and his appreciation for what the City Council does grew.

James Fawcett voiced concern about the UTOPIA/Macquarie public-private partnership.

George King, said he had concerns about the hunting that goes on in north Orem. Too much of it is happening too close to the subdivisions. He said the signage discouraging hunting is not effective and requested action be taken to remedy the situation.

CONSENT ITEMS

There were no new consent items.

SCHEDULED ITEMS

6:20 P.M. PUBLIC HEARING

ORDINANCE AMENDMENT – Amending the Street Connection Master Plan of the City of Orem.

Mr. Andersen recused himself from the discussion and vote due to personal interest. He left the discussion at 6:20 p.m.

Paul Goodrich, Traffic Engineer, presented a staff request for the City Council to approve the 2014 Street Connection Master Plan. He explained that the City Council approved the 1993 Street Connection Master Plan on April 6, 1993. Because of several development changes throughout the City since then, City staff and the Transportation Advisory Commission have been working to update the Street Connection Master Plan since May of 2013.

The City held three neighborhood meetings (one charette-style meeting and two open house meetings) to receive input from the public for the proposed update. These meetings were well attended and staff received and addressed several comments and concerns regarding the proposed update.

The thirty-five yellow circles indicate where street connections on the 1993 Master Plan have been completed. Many other street connections have been made since 1993 that were not on the 1993 Plan.

There may be some flexibility about how future streets will interconnect when properties are developed. A final decision about how to connect the red circles on each of the five maps should not be made until a thorough review of a specific development proposal is completed. Concurrent with this application, City staff is proposing by separate application that a developer be required to hold a

neighborhood meeting when a developer makes a street connection to one of the street connection points.

As growth continues within the City, new roads and access points will be needed to reduce the negative effects that growth can cause. The General Plan identifies the need to continue improving the Streets Master Plan as existing traffic conditions change as well as a “need to improve our transportation system to minimize congestion.” In accordance with the goals of the General Plan, approval of the 2014 Street Connection Master Plan will reduce traffic congestion and improve traffic circulation by requiring street connections at the points indicated as new development takes place.

Advantages

- Identifies new street connections necessary to maintain an efficient transportation system.
- Includes the southwest part of the City in the Street Connection Master Plan which had not been previously included.
- Furthers the objectives of the Orem General Plan improving the City transportation system and helping to mitigate congestion.
- Promotes street connectivity as new development takes place in the City.

Disadvantages

- Some neighbors enjoy living on a dead end street and may not like having these streets connected.

Mr. Macdonald asked Mr. Goodrich to go over the maps included in the agenda. Mr. Goodrich explained that Street connections need to be made for a number of reasons, including storm water drainage and water/sewer connections. The connections assist in the flow of traffic and facilitate development. Mr. Goodrich referenced the maps by saying the yellow dots indicate the connections that have been made since the 1993 connection plan. The dots on the map in red indicate the streets still needing connection. These dots constitute

Mr. Seastrand asked if these are roads that the City will put in. Mr. Goodrich said no, this is a plan to show developers where new roads should be implemented as development occurs.

Mayor Brunst opened the public hearing.

John Reinhard said he understood the intent with street connections was to work with the developer to come up with something creative, similar to how master plans work. He wondered if there was a way to add that into the wording of the ordinance to limit confusion.

Mayor Brunst closed the public hearing.

Mrs. Black **moved**, by ordinance, to amend the Street Connection Master Plan of the City of Orem. Mr. Seastrand **seconded** the motion. Those voting aye: Margaret Black, Richard Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed**, 6-0.

6:20 P.M. PUBLIC HEARING

ZONE ORDINANCE AMENDMENT

- Amending Sections 17-3-4(C) and 17-4-3(B)(17); and
- Enacting Section 17-4-3(D) of the Orem City Code to require a neighborhood meeting when a developer connects a street to a required street connection point as shown on the Street Connection Master Plan.

Jason Bench, Planning Division Manager, presented a Staff recommendation to the City Council. The City's Street Connection Master Plan requires developers to make street connections to certain streets that are currently dead ends (also known as street connection points). Connections to these dead ends are necessary to promote more effective, safe and equitable traffic circulation.

There are often many ways that a dead end street may be connected to other streets. Neighbors, who have a vested interest in how streets are connected and aligned, often have creative ideas that a developer may not have considered when designing a new subdivision. If a developer can be exposed to these ideas before he has invested significant resources in a specific street design, he will often be willing to incorporate the alignment that the neighbors prefer.

The proposed amendments would require a developer who is required to connect to a required street connection point to hold a neighborhood meeting to discuss the new street connection(s) before submitting a preliminary plat to the Planning Commission.

Based on citizen comments made at the Planning Commission meeting, staff gave recommendation that the proposed ordinance language be modified to require the neighborhood meeting to be held before an application goes to the Development Review Committee (DRC) instead of before the Planning Commission meeting. This will allow neighbors to get involved in the process as early as possible and hopefully before a developer has committed significant resources to a specific street alignment.

The General Plan identifies the "need to improve our transportation system to minimize congestion." By encouraging more citizen input early in the development process through required neighborhood meetings, better alternatives may be identified and negative effects of new road connections may be mitigated.

The proposed amendment is outlined below:

17-3-4. Overview of subdivision approval process.

C. The developer completes an application for preliminary plat approval, holds a neighborhood meeting when required, and submits the application, the preliminary plat, required supporting documents, and the applicable fee to the Development Services Department.

17-4-3(B). Content of preliminary plat and required documents.

17. The layout and location of future public streets. The City may require streets in the preliminary plat in such locations, sizes and of such design as may be necessary to provide adequate traffic circulation and access to the property contained within the preliminary plat and to other parcels of property in the surrounding area. Street connections shall be made to street connection points as shown in the Street Connection MasterPlan.

D. A neighborhood meeting complying with the requirements of Section 22-14-20(I)(substituting “preliminary plat” for “site plan”) shall be required whenever a preliminary plat shows or is required to show a street extending from or connecting to a street connection point as shown in the Street Connection Master Plan. The neighborhood meeting must be held before an application may be forwarded to the Planning Commission.

Advantages

- Allows neighbors an opportunity to provide input about potential street connections at the beginning stages of a project, which may result in better street design.

Disadvantages

- The neighborhood meeting requirement may place a minimal additional burden on developers.

Mr. Spencer asked how far the noticing would go for the neighborhood meeting. Mr. Bench indicated it would be 500 feet. Staff called neighboring cities to inquire about their required noticing distance. Provo was the only city that notices more than 300 feet.

Mayor Brunst opened the public hearing.

Conrad Guymon said he appreciated the proposed change to require neighborhood input.

Lori Eldridge indicated that she also appreciated the increased noticing radius.

John Reinhard said his comments on the last item were meant for this matter as well. He wondered if wording could be added to indicate this proposal would work along with the Street Connection Master Plan to avoid citizen confusion.

Mayor Brunst closed the public hearing.

Mr. Seastrand said, regarding Mr. Reinhard’s suggestion, it can be difficult to add language without more specifics. It would be possible to change the language in the future, if that was necessary. Mr. Goodrich agreed.

Mr. Macdonald **moved**, by ordinance, to amend Sections 17-3-4(C) and 17-4-3(B)(17); and enact Section 17-4-3(D) of the Orem City Code to require a neighborhood meeting when a developer connects a street to a required street connection point as shown on the Street Connection Master Plan. Mrs. Black **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed**, 6-0.

Mr. Andersen returned to the meeting at 6:42 p.m.

RESOLUTION – CONDITIONAL USE PERMIT - Conditional Use Permit approval for a detached garage at 1014 North 1280 East in the PD-18 zone.

Mr. Bench reviewed the request, indicating the owner of the property at 1014 North 1280 East desires to construct a detached garage containing 1,127 square feet. The property is located in the PD-18 zone which requires a conditional use permit for any detached structure larger than 1,000 square feet. The proposed detached garage is 49 by 23 feet, and is approximately 12 feet tall which complies with the 35 foot maximum height limit. The subject property is approximately an acre in size and so there is plenty of room on the lot to accommodate the garage. It does not appear that the proposed garage would have any negative impacts.

The PD-18 zone consists of the Tierra del Sol subdivision located at the address above as well as the Berkshires subdivision located at 1290 South 1400 East.

Mr. Macdonald asked about any concerns from neighbors about this structure, and the applicant said he was not aware of any.

Mrs. Black **moved**, by resolution, a conditional use permit for a detached garage at 1014 North 1280 East in the PD-18 zone. Mr. Sumner **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed** unanimously.

ORDINANCE – PUBLIC WORKS ADVISORY COMMISSION

Chris Tschirki, Public Works Director, presented to Council a recommendation to create a Public Works Advisory Commission.

The Commission would consist of seven members appointed by the Mayor with the advice and consent of the City Council to act in an advisory capacity to the City Council and City Manager. The term of service would be three years. The Commission members would have the following duties and responsibilities:

- Review and make recommendations to the City Council on Public Works issues brought to the Commission by the City Manager.
- Review and make recommendations to the City Council on master plans. The recommendations may include a capital facilities plan, a financial plan, supporting utility rates, and other relevant recommendations.
- Work toward the continuing education of citizens regarding Public Works issues in our community.
- Plan and arrange for neighborhood meetings/open houses and attend such meetings to receive and review public input.

The Commission would make recommendations regarding different types of the infrastructure within the city, and would contribute to the formulation of a Public Works Master Plan over the next twelve to fourteen months.

Mayor Brunst said he appreciated this proposal.

When Mr. Seastrand asked how the members would be staggered, Mr. Tschirki referred the Council to Section 2-34-5 of the proposed City Code amendment. Three members would serve for two years while four members would serve for three years. He indicated he has a list of about forty people who are qualified to serve on the commission. A list of names will be presented at the next Council meeting. Mr. Tschirki said he would appreciate any suggestions from Council members as well.

Mr. Seastrand asked if the City website was being utilized by citizens in submitting their names for consideration. Mr. Tschirki said they will review any applications from the website as well.

Mayor Brunst **moved**, by ordinance, to create a Public Works Advisory Commission made up of citizens to assist the City in addressing Public Works issues. Mr. Seastrand **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Richard Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed** unanimously.

PERSONAL APPEARANCES CONTINUED

No one came forward to speak.

COMMUNICATION ITEMS

There were no communication items.

CITY MANAGER INFORMATION ITEMS

At the request of Mr. Davison, Mr. Bench reviewed with the Council planning items that would be coming before them in future meetings.

ADJOURNMENT

Mr. Andersen **moved** to adjourn the meeting. Mr. Spencer **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion passed unanimously.

The meeting adjourned at 6:58 p.m.

Donna R. Weaver, City Recorder

Approved: February 25, 2014